

**Senate Study Bill 3147 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON KAPUCIAN)

**A BILL FOR**

1 An Act relating to motor carriers, and making penalties  
2 applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 325A.1, subsections 4, 6, and 7, Code  
2 2018, are amended to read as follows:

3 4. "*Interstate motor carrier number*" means a United States  
4 department of transportation number or motor carrier number  
5 issued by the federal highway administration to a motor carrier  
6 engaged in interstate commerce.

7 6. "*Motor carrier*" means a person defined in subsection 8,  
8 9, 9A, or 10, but does not include a transportation network  
9 company or a transportation network company driver, as defined  
10 in section 321N.1.

11 7. "*Motor carrier certificate*" means a certificate issued  
12 by the department to ~~any person transporting passengers on any~~  
13 ~~highway of this state for hire, other than a transportation~~  
14 ~~network company or a transportation network company driver, as~~  
15 ~~defined in section 321N.1 a motor carrier of passengers.~~ This  
16 certificate is transferable.

17 Sec. 2. Section 325A.1, Code 2018, is amended by adding the  
18 following new subsections:

19 NEW SUBSECTION. 5A. "*Intrastate motor carrier number*" means  
20 a United States department of transportation number or motor  
21 carrier number issued by the federal highway administration to  
22 a motor carrier engaged only in intrastate commerce.

23 NEW SUBSECTION. 9A. "*Motor carrier of passengers*" means any  
24 person transporting passengers on any highway of this state  
25 for hire, other than a transportation network company or a  
26 transportation network company driver, as defined in section  
27 321N.1.

28 Sec. 3. Section 325A.3, Code 2018, is amended by adding the  
29 following new subsection:

30 NEW SUBSECTION. 2A. In addition to the application  
31 requirements set forth in subsection 2, all applications for  
32 a taxicab service passenger certificate shall include the  
33 applicant's interstate motor carrier number or intrastate motor  
34 carrier number. If the applicant has both an interstate and  
35 intrastate motor carrier number, only the interstate motor

1 carrier number must be included.

2 Sec. 4. Section 325A.3A, Code 2018, is amended to read as  
3 follows:

4 **325A.3A Hearings.**

5 A person whose application for a permit or certificate under  
6 this chapter has been denied, or whose permit or certificate  
7 has been suspended, may contest the decision under [chapter 17A](#)  
8 and in accordance with rules adopted by the department. The  
9 request for a hearing shall be in writing to the ~~director of~~  
10 ~~the division~~ department's office of vehicle and motor carrier  
11 ~~services, state department of transportation, at its office in~~  
12 ~~the capital city's metropolitan area.~~

13 Sec. 5. Section 325A.12, subsection 3, paragraph a, Code  
14 2018, is amended to read as follows:

15 a. Taxicabs with a seating capacity of ~~not more~~ less than  
16 ~~eight~~ seven passengers, or persons having a license, contract,  
17 or franchise with ~~an Iowa~~ a city in this state to carry or  
18 transport passengers for hire while operating within the  
19 guidelines of the license, contract, or franchise.

20 Sec. 6. Section 325A.12, Code 2018, is amended by adding the  
21 following new subsection:

22 NEW SUBSECTION. 5A. "*Taxicab service*" means a person  
23 engaged in the for-hire transportation of passengers in a  
24 taxicab having a seating capacity of less than seven passengers  
25 and not operating on a regular route or between specified  
26 points.

27 Sec. 7. Section 325A.13, subsection 2, paragraphs f and g,  
28 Code 2018, are amended by striking the paragraphs.

29 Sec. 8. Section 325A.13, Code 2018, is amended by adding the  
30 following new subsections:

31 NEW SUBSECTION. 2A. It is unlawful for a taxicab service to  
32 transport passengers by motor vehicle for hire from any place  
33 in this state to another place in this state, irrespective  
34 of the route or highway traversed, without first having  
35 obtained a taxicab service passenger certificate from the

1 department. However, a taxicab service passenger certificate  
2 issued by the department does not authorize a taxicab service  
3 to transport passengers within the boundaries of a local  
4 authority that licenses or regulates such vehicles pursuant  
5 to section 321.236, subsection 7, unless the taxicab service  
6 is in compliance with all applicable regulations of the local  
7 authority.

8 NEW SUBSECTION. 2B. A person shall not operate as a charter  
9 carrier, regular-route motor carrier of passengers, or taxicab  
10 service in this state unless the person possesses a certificate  
11 issued by the department applicable to the type of operation  
12 in which the person is engaged.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with  
15 the explanation's substance by the members of the general assembly.

16 This bill creates and modifies provisions relating to motor  
17 carriers.

18 The bill specifies that "motor carrier" includes motor  
19 carriers of passengers for the purposes of Code chapter 325A.  
20 A motor carrier of passengers is any person transporting  
21 passengers on any highway of this state for hire, other than  
22 a transportation network company or a transportation network  
23 company driver.

24 The bill provides that, in addition to the application  
25 requirements of Code section 325A.3(2), all applications for  
26 a taxicab service passenger certificate must include the  
27 applicant's interstate motor carrier number or intrastate motor  
28 carrier number. If the applicant has both an interstate and  
29 intrastate motor carrier number, only the interstate motor  
30 carrier number must be included.

31 Under current law, a request for a hearing to contest a  
32 decision by the department of transportation (DOT) to deny a  
33 person's application for a motor carrier permit or certificate,  
34 or suspend a person's motor carrier permit or certificate, must  
35 be submitted in writing to the DOT's director of the division

1 of motor carrier services at its office in the capital city's  
2 metropolitan area. The bill specifies that the request must be  
3 submitted in writing to the DOT's office of vehicle and motor  
4 carrier services.

5 Under current law, for purposes of Code chapter 325A,  
6 subchapter II, "charter carrier" does not include taxicabs with  
7 a seating capacity of not more than eight passengers. The bill  
8 amends current law to provide that "charter carrier" does not  
9 include taxicabs with a seating capacity of less than seven  
10 passengers.

11 The bill prohibits a taxicab service from transporting  
12 passengers by motor vehicle for hire from any place in this  
13 state to another place in this state, irrespective of the route  
14 or highway traversed, without first having obtained a taxicab  
15 service passenger certificate from the DOT. However, the bill  
16 provides that a taxicab service passenger certificate issued  
17 by the DOT does not authorize a taxicab service to transport  
18 passengers within the boundaries of a local authority that  
19 licenses or regulates such vehicles pursuant to Code section  
20 321.236(7) unless the taxicab service is in compliance with  
21 all applicable regulations of the local authority. A "taxicab  
22 service" is a person engaged in the for-hire transportation  
23 of passengers in a taxicab having a seating capacity of less  
24 than seven passengers and not operating on a regular route or  
25 between specified points.

26 Under current law, a regular-route motor carrier of  
27 passengers is prohibited from operating as a charter carrier in  
28 this state unless it possesses a charter passenger certificate,  
29 and a charter carrier is prohibited from operating as a  
30 regular-route passenger carrier in this state unless it  
31 possesses a regular-route passenger certificate. The bill  
32 strikes these provisions and provides that a person shall not  
33 operate as a charter carrier, regular-route motor carrier of  
34 passengers, or taxicab service in this state unless the person  
35 possesses a certificate issued by the DOT applicable to the

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1 type of operation in which the person is engaged.

2 By operation of law, a violation of the provisions of the  
3 bill is punishable by a scheduled fine of \$250 and may result  
4 in the revocation or suspension of the person's motor carrier  
5 permit or certificate (Code sections 325A.23 and 325A.24).